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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELECTRONICALLY FILED

MAMADOU SAIDOU BAH and GNALEN BAH,

Plaintiffs,

V.

GREYHOUND LINES, INC., and THE
GOODYEAR TIRE & RUBBER COMPANY,

Defendants.

08 CIV 2440 (PKL)
[Related to 06 CIV 13371 (PKL)]

Jury Trial Demanded

**GOODYEAR'S CROSS-CLAIMS
AGAINST MOTOR COACH
INDUSTRIES, INC.**

GREYHOUND LINES, INC.,

Third-Party Plaintiff,

V.

MOTOR COACH INDUSTRIES, INC. and
UGL UNICCO, Formerly Known As
UNICCO Service Company,

Third-Party Defendants.

The Goodyear Tire & Rubber Company (“Goodyear”), by its attorneys, Herrick, Feinstein LLP, hereby asserts cross-claims against third-party defendant Motor Coach Industries, Inc. (“MCI”) (incorporating herein all prior and related pleadings and defenses) as follows:

AS AND FOR A FIRST CROSS-CLAIM

1. If plaintiff and third-party plaintiff were caused to suffer damages as a result of the incidents alleged in the Amended Complaint and Third-Party Complaint, such damages were not due to any negligence, strict liability, breach of contract, or fault on the part of Goodyear, but rather were due in whole or in part to the negligence, carelessness, strict liability, breach of contract, or breach of warranty of MCI, and its directors, officers, agents and employees.

2. If Goodyear is held liable for any of the damages claimed by plaintiff or third-party plaintiff, then Goodyear is entitled to contribution and/or indemnification, in whole or in part, from MCI, of any judgment obtained or a part of any judgment obtained on the basis of an apportionment of responsibility between it and Goodyear, as well as costs and attorneys' fees.

WHEREFORE, defendant Goodyear demands Judgment granting its cross-claims against third-party defendant MCI together with costs, disbursements and attorneys' fees, and granting such other and further relief which this Court deems appropriate.

Dated: New York, NY
June 16, 2008

HERRICK, FEINSTEIN LLP

By: /s/ Alan D. Kaplan

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